

of a campaign or state or condition of war or *armed conflict*, and the participation of the United States therein, as well as the fact that the deceased person served in a zone where such campaign or state or condition of war or *armed conflict* existed, shall in each case be established by the records of the War or Naval Departments of the Federal Government; or

(2) Any deceased person who had so served at any time during his or her life, and whose separation from such service was honorable, whether by discharge or otherwise, or who at the time of his or her death was continuing in such service after the cessation of the war *armed conflict*, campaign or state or condition of war during or in which he or she served; or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania, under and in pursuance of any proclamation issued by the Governor, during the Civil War and not duly mustered into the service of the United States, and has been honorably discharged or relieved from such service.

The term "legal residence" as used in this act shall be construed as synonymous with "domicile," and is hereby defined as actual residence, coupled with intention that it shall be permanent, or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period. Legal residence is to be determined by abode of person, and his or her intention to abandon his or her former domicile and establish a new one. The legal residence of a deceased service person shall be *prima facie* in the county where he or she made his or her abode at the time of his or her death.

APPROVED—The 27th day of September, A. D. 1955.

GEORGE M. LEADER

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No. 158

AN ACT

Amending the act of July twenty-eight, one thousand nine hundred fifty-three (Pamphlet Laws 723), entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto", extending the definition of "deceased service persons" to include service personnel serving in an armed conflict.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Second Class  
County Code.

Section 2108, act  
of July 28, 1953,  
P. L. 723,  
amended.

Section 1. Section two thousand one hundred eight, act of July twenty-eight, one thousand nine hundred fifty-three (Pamphlet Laws 723), known as the "Second Class County Code," is amended to read:

Section 2108. Definitions.—(a) The term “deceased service person” as used in this subdivision shall mean and include:

(1) Any deceased person who, at the time of his or her death, was serving (whether or not in a combat zone) in the Army, Navy, Air Force, Marine Corps, Coast Guard, or any women’s organization officially connected therewith, during any war *or armed conflict* in which the United States has been, is now, or shall hereafter be engaged, or who, at the time of his or her death, was serving in a zone where a campaign or state or condition of war *or armed conflict* then existed, in which the United States was, is, or shall be a participant. The existence of a campaign or state or condition of war *or armed conflict* and the participation of the United States therein, as well as the fact that the deceased person served in a zone where such campaign or state or condition of war *or armed conflict* existed, shall, in each case, be established by the records of the Department of Defense of the Federal Government; or

“Deceased service person” defined.

(2) Any deceased person who had so served at any time during his or her life, and whose separation from such service was honorable, whether by discharge or otherwise, or who, at the time of his or her death, was continuing in such service after the cessation of the war, *armed conflict*, campaign or state or condition of war during or in which he or she served; or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War, who was not duly mustered into the service of the United States, but was honorably discharged or relieved from such service.

(b) The term “legal residence,” as used in this subdivision, shall be construed as synonymous with “domicile,” and is hereby defined as actual residence, coupled with intention that it shall be permanent, or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period. Legal residence is to be determined by abode of person and his or her intention to abandon his or her former domicile and establish a new one. The legal residence of a deceased service person shall be prima facie in the county where he or she made his or her abode at the time of his or her death.

APPROVED—The 27th day of September, A. D. 1955.

GEORGE M. LEADER